

INDIANAPOLIS
HISTORIC PRESERVATION COMMISSION

POLICIES

APPROVED

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The staff of the IHPC

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INTRODUCTION TO IHPC POLICIES

The policies in the following pages are intended to help the public understand the Commission's policy to the issuing of certificates of appropriateness for actions taken to buildings and features in locally designated historic areas. Each general topic includes an indication of the category of approval required for each respective type of work described. Some policies may be affected by special provisions unique to individual preservation area plans. A Certificate of Appropriateness or Certificate of Authorization is issued for every approval granted. The categories of approval are as follows:

NO CERTIFICATE

A Certificate of Appropriateness is not required for those items so noted. However, if there is question as to need for a Certificate or if assistance and advice are needed, the IHPC office should be contacted.

STAFF APPROVAL

A Certificate of Appropriateness is needed and may be approved by Staff for those items so noted. This process does include filing an application, however does not involve a hearing and often can be executed immediately.

HEARING OFFICER APPROVAL

A Certificate of Appropriateness is needed and may be approved by a Hearing Officer for those items so noted. The process involves application, notification of the public, and a hearing (usually scheduled weekly).

COMMISSION APPROVAL

A Certificate of Appropriateness or Certificate of Authorization is needed and may be issued by the Commission for those items so noted. The process involves application, notification of the public, and a hearing (usually scheduled monthly).

When no policy exists regarding proposed work, or when there is ambiguity as to the application of the policy, the administrator shall determine the type of approval required.

In cases of emergency (posing immediate threat to public safety or to the preservation of a historic building element), an abbreviated approval procedure may be required. In these cases, the administrator may determine that Staff Approval of actions normally requiring Hearing Officer or Commission Approval is appropriate in order to hasten the approval process.

THE SECRETARY OF THE INTERIOR'S STANDARDS

Design guidelines in each plan are generally derived from The Secretary of the Interior's Standards for Historic Preservation Projects¹ These standards are:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site, should be treated with sensitivity.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

¹ The Secretary of the Interior's Standards for Historic Preservation Projects. (Washington, D.C.: U.S. Department of the Interior. 1990).

AWNINGS AND CANOPIES¹

NO CERTIFICATE:

1. Repair of existing awnings or canopies with materials matching the previous in size, shape, color, or type. This includes replacement of worn or damaged canvas with a similar color, style, and pattern.
2. Seasonal removal and reinstallation of temporary awnings on existing fittings.

STAFF APPROVAL:

1. New installation, permanent removal, or alteration of temporary awnings, including changes in color, pattern, or material.

HEARING OFFICER APPROVAL:

1. Installation, removal, or alteration of permanent awnings and canopies, including changes in color, pattern, or material.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

DEFINITIONS:

TEMPORARY AWNINGS include those that are constructed with a metal frame covered with fabric, minimally attached to the building, and easily removable.

PERMANENT AWNINGS AND CANOPIES include those attached to the structure of a building in a manner not meant to be removable, meant to be an integral part of the building design or having any attachment to the ground.

DEMOLITION AND REMOVAL (Of structures or portions of structures)¹

Guidelines regarding appropriate or authorized demolition may be found in Historic Area Plans.

Accept as provided by Indiana Code 36-7-11.1-9, no structure, or portion thereof shall be demolished without a Certificate of Appropriateness or Certificate of Authorization.

STAFF APPROVAL:

1. Structures (or portions of structures) in which imminent collapse poses a safety hazard.
2. Documented, non-historic accessory structures, such as open carports, tool sheds, parking attendant booths, and one and two-car garages.
3. Documented, non-historic additions to any structure.

HEARING OFFICER APPROVAL:

1. Documented, non-historic, primary structure.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Historic structures (or portions of historic structures).

DEFINITIONS:

HISTORIC STRUCTURES include any structure that: a) is more than 50 years old, and/or b) is noted in a Preservation Plan or National Register of Historic Places nomination as being contributing, significant, or historic.

FENCES AND WALLS¹

Guidelines regarding appropriate fence types may be found in Historic Area Plans.

NO CERTIFICATE:

- 1) Removal of any non-historic fence, provided the fence is not specifically required in an issued Certificate of Appropriateness.
- 2) Repair of existing fences, provided:
 - a) There is no alteration in material, height, color, or location.
 - b) No more than one half of the total fence is being replaced.
- 3) Additional fencing within an area enclosed by a privacy fence, provided it reaches no higher than the privacy fence.
- 4) **In Herron-Morton Place only:** installation of any fence on the property of an existing structure, provided it conforms to the guidelines set forth in the Herron-Morton Place Plan.

STAFF APPROVAL:

- 1) Back yard fences that are:
 - a) Not more than 6 feet in height
 - b) Not louver, basket weave, chain link, masonry, or stockade,
 - c) Not farther forward than a point midway between the front and back facades of the primary structure, and
 - d) Not obscuring the view at an intersection of streets and/or alleys.
- 2) Front yard fences that are:
 - a) No more than 42" in height,
 - b) Open in style (such as picket), and
 - c) Do not obscure the view at an intersection of streets and/or alleys.

HEARING OFFICER APPROVAL:

1. Fences not qualifying for Staff Approval.
2. Construction or removal (if not historic) of masonry walls.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Removal of any historic fence or wall that is original to the site.

DEFINITIONS:

FENCES include metal and wood barriers.

WALLS include masonry barriers.

HISTORIC FENCES include those that are more than 50 years old.

LANDSCAPING AND SITE IMPROVEMENTS

Guidelines regarding appropriate trees and landscape materials may be found in Historic Area Plans.

NO CERTIFICATE:

- 1) Installation or removal of plant materials (other than trees) on the property of existing buildings, provided (for removal) that it is not required in a previously issued Certificate of Appropriateness.
- 2) Maintenance, including pruning trees and thinning plants.
- 3) Removal of trees noted as undesirable in the Preservation Plans or as sited by the Indianapolis Code, Section 30-1, Trees and Flora.
- 4) Removal of dead trees.
- 5) Borders on planting beds in a front yard or side lot that are low and inconspicuous (excluding landscape timbers and railroad ties exceeding 2" in height).
- 6) The following items, when confined to the back yard:
 - a) Borders on planting beds.
 - b) Children's play equipment.
 - c) Dog houses.
 - d) Any additional fencing within a privacy fence.
 - e) Objects of artistic or cultural significance (such as sculpture), not exceeding 6 feet in height.
 - f) Fountains and small decorative pools.
 - g) Barbecue pits.
 - h) Garden furniture.
- 7) Grading and filling yards consistent with surrounding grades.
- 8) Patios and decks in back yards with no railings, no elements higher than 18" off the ground and not visible from the street.

STAFF APPROVAL:

- 1) Planting or removal of all trees, except as noted above.
- 2) Installation or removal of plant materials on vacant or side lots.
- 3) Storage sheds of less than 144 square feet and in a back yard.
- 4) Handicap ramps.
- 5) Small yard accessories not confined to a back yard.
- 6) Patios and decks with railings, in back yard, not higher than the foundation and not projecting beyond either side of the building.

HEARING OFFICER APPROVAL:

1. Decks and patios not confined to the back yard, projecting beyond either side of the building, or higher than the foundation.
2. Earth formations such as berms, hills, or culverts; which are not consistent with surrounding grades (back yards excluded).
3. In- and above-ground swimming pools in back yards.
4. Accessory structures such as large storage sheds, gazebos, greenhouses.
5. Fountains, decorative pools, flagpoles, and large yard accessories not confined to back yards.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Development and landscaping of public or private parks.
3. In-and above-ground swimming pools not confined to a back yard¹.

DEFINITIONS:

BACK YARDS include all land: a) behind the rear building line, or b) enclosed within a back yard privacy fence.

FRONT YARDS include all land forward of the rear building line and not enclosed in a back yard privacy fence.

SIDE LOTS include vacant lots being used in association with an adjacent developed lot, such as a side yard.

LIGHTS¹

NO CERTIFICATE:

- 1) Incandescent wall or ceiling mounted light fixtures (excluding security lights) at rear entrances of a building.
- 2) Free-standing decorative lights in a back yard, provided the pole and light fixture do not exceed seven feet in height.
- 3) Ground lighting in back yards.
- 4) Security lights installed by Indianapolis Power and Light Company on any existing alley utility pole at the rear of a property.
- 5) Temporary façade illumination for special events.

STAFF APPROVAL:

- 1) Incandescent wall or ceiling mounted light fixtures attached to a façade of any building, garage, or carriage house; other than a rear entrance.
- 2) Security lights (including flood lights) on the rear or side façade of a building, provided written consent by the adjacent building owner(s) is submitted in the case of side facades.

HEARING OFFICER APPROVAL:

1. Any security light requiring a new utility pole.
2. Security lights attached to the front facades of buildings or to utility poles other than those on alleys.
3. Parking lot lights (except as noted under Parking Areas, p. 13).

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Permanent façade illumination, front yard or side lot ground lighting, or free standing decorative lights other than in the back yard.

DEFINITIONS

BACK YARDS include all land: a) behind the rear building line, or b) enclosed within a back yard privacy fence.

FRONT YARDS include all land forward of the rear building line and not enclosed in a back yard privacy fence.

SIDE LOTS include vacant lots being used in association with an adjacent developed lot, such as a side yard.

MAILBOXES

NO CERTIFICATE:

- 1) Any mailbox affixed to a structure, provided no alteration to the structure (such as cutting holes) is required.
- 2) U.S. Postal Service mail and collection boxes.

HEARING OFFICER APPROVAL:

1. Alteration to an existing structure required for installation.
2. Free standing mailboxes (those not attached to a structure).

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

MASONRY¹

NO CERTIFICATE:

- 1) Masonry repairs and maintenance, defined as the following work involving less than 5% of the masonry on any one wall surface:
 - a) Tuckpointing, using materials to match the original.
 - b) Stucco replacement, using materials to match the original.
 - c) Cleaning, excluding any abrasive cleaning process such as sandblasting or waterblasting.
 - d) Replacement of deteriorated masonry, using materials to match the original.

STAFF APPROVAL:

- 1) The following masonry restoration, if it involves more than 5% of the masonry on any one wall surface:
 - a) Tuckpointing, using materials to match the original.
 - b) Stucco replacement, using materials to match original.
 - c) Cleaning, excluding abrasive cleaning methods such as sandblasting or waterblasting.
 - d) Replacement of deteriorated masonry, using materials to match the original.
- 2) Reconstruction of severely deteriorated (unsafe and/or unstable) features, with no changes in design or materials.
- 3) Application of any clear sealing agent, if all other sources of water infiltration have been corrected, and the sealing agent is limited to only the affected area.

HEARING OFFICER APPROVAL:

- 1) Masonry alterations, including:
 - a) Removal of any masonry features.
 - b) Reconstruction involving changes in material or design.
 - c) Construction of new features on existing buildings.
- 2) Application of any waterproofing or sealing agent, paint, or stucco to a surface not previously treated in similar manner.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

DEFINITIONS:

MASONRY includes cement, mortar, stucco, bricks, stone blocks, or other lithic material.

MATERIALS TO MATCH THE ORIGINAL include those that match the original in size, profile, color, texture, and composition.

DETERIORATED MASONRY includes that in which more than 1/4" (in depth) of surface masonry is missing.

NEW CONSTRUCTION¹

Guidelines regarding appropriateness of new construction may be found in Historic Area Plans.

NO CERTIFICATE:

Not Applicable. A Certificate of Appropriateness is required for any new construction.

STAFF APPROVAL:

- 1) Storage sheds in back yards and not more than 144 square feet.

HEARING OFFICER APPROVAL:

- 1) Accessory structures such as large storage sheds, gazebos, and greenhouses.
- 2) One- and two-car garages of only one story in height.
- 3) Open porches or decks with rails added to existing structures. (See “landscaping” for some exceptions involving patios and decks without railings.)

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Any structure other than the accessory structures, garages, and porches defined above.

NOTE 1: The Commission or Hearing Officer may require permanent indication of the date of new construction in the form of a durable marker such as one incorporated into the foundation.

NOTE 2: The Commission or Hearing Officer may require that electrical, telephone, and television cables be buried underground on rehabilitation projects in Lockerbie Square and on new construction of principal buildings in all districts.

NOTE 3: Construction related activities are subject to Indianapolis Code, Chapter 8, Buildings and Construction.

NOTE 4: Hardboard siding may be considered when applied to a building of new construction provided that the installation conforms to the prevalent characteristics of the historic buildings within a district with respect to size, scale and exposure, or separation between individual boards.

DEFINITIONS:

NEW CONSTRUCTION includes additions to existing structures as well as new structures.

OPEN PORCHES include those not enclosed on all sides by a weathertight wall from floor to ceiling.

PAINT¹

NO CERTIFICATE:

- 1) Repainting, provided there is no change in color scheme.
- 2) Sample patches on wood siding, wood trim, and previously painted masonry surfaces; provided each sample color scheme is no more than 25 square feet. A Certificate of Appropriateness is required prior to proceeding further with painting.
- 3) In Herron-Morton Place only, any painting, regardless of color scheme.

STAFF APPROVAL:

- 1) Changes in color scheme.
- 2) Color schemes for new construction.

HEARING OFFICER APPROVAL:

- 1) Painting or otherwise coating previously unpainted masonry surfaces.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Application of any new material over an existing surface (example: stucco or parge coating over brick).

DEFINITIONS:

PAINTING includes any application of colored or transparent paints, stains, or sealants.

MASONRY includes cement, mortar, stucco, bricks, cinder blocks, stone blocks, or other lithic material.

PARKING AREAS¹

NO CERTIFICATE:

- 1) Repair, resurfacing, or restriping any commercial or residential parking area, provided:
 - a) Materials match the previous in type and color, and
 - b) No change in the dimension or location of the surface is made.

STAFF APPROVAL:

- 1) Lights affixed to existing utility poles or buildings in back yard parking areas, provided written consent by the adjacent building owner is submitted in cases that the light is located along a side property line.
- 2) Fencing and landscaping.
- 3) Signage in commercially zoned parking areas.

HEARING OFFICER APPROVAL:

- 1) Lights in front yard, side lot, or free-standing parking areas.
- 2) Parking control devices, such as bollards, chains or posts.
- 3) Alteration, construction, or expansion of any residential or business parking area which is adjacent to the principle building.
- 4) Installation of parking attendant booths in properly zoned commercial parking areas.
- 5) Lights requiring new mounting poles.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Alteration, construction, or expansion of any residential or business parking area not adjacent to the primary building.
3. Alteration, construction, or expansion of any commercial parking area.

DEFINITIONS:

RESIDENTIAL PARKING AREAS include those that serve dwelling units.

BUSINESS PARKING AREAS include those that serve the employees and customers of a particular business.

COMMERCIAL PARKING AREAS include commercial parking enterprises.

BACK YARDS include all land: a) behind the rear building line, or b) enclosed within a back yard privacy fence.

FRONT YARDS include all land forward of the rear building line and not enclosed in a back yard privacy fence.

SIDE LOTS include vacant lots being used in association with an adjacent developed lot, such as a side yard.

RELOCATION OF STRUCTURES¹

Guidelines regarding appropriate relocation of structures may be found in Historic Area Plans.

NO CERTIFICATE:

Not Applicable. A Certificate of Appropriateness is required for relocation of any structure.

STAFF APPROVAL:

- 1) Non-historic accessory structures such as storage sheds, gazebos, and greenhouses being relocated within a back yard.

HEARING OFFICER APPROVAL:

- 1) Non-historic accessory structures such as storage sheds, gazebos, and greenhouses; except those being relocated within a back yard.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Non-historic buildings other than accessory structures.
3. Historic structures relocated into, out of , or within an existing historic district.

DEFINITIONS:

HISTORIC STRUCTURES include those that: a) are more than 50 years old, and/or b) is noted in a Preservation Plan or National Register of Historic Places nomination as being contributing, significant or historic.

ROOFS, GUTTERS AND SOFFITS¹

Guidelines regarding appropriate roof and gutter materials and styles may be found in Historic Area Plans.

NO CERTIFICATE:

- 1) Alterations and repair to flat roofs in which no change is visible from the ground, including the following:
 - a) Installation of mechanical equipment, skylights, or vents.
 - b) Re-roofing and repair, provided the shape of the roof is not altered.
- 2) Reroofing of less than 25% of any roof surface, provided any new material matches the previous in type, shape, color, and dimensions.
- 3) Replacement of roof mounted, hung or attached gutters and downspouts, provided any new material matches the previous in type, shape, color, and dimensions.
- 4) Built-in gutter relining.
- 5) Flashing repair and maintenance.

STAFF APPROVAL:

- 1) Reroofing of more than 25% of any roof surface.
- 2) Replacement of non-historic roof material with that of a different type or color.
- 3) New gutters and downspouts when they do not alter the structure.
- 4) Built-in gutter reconstruction or replacement, provided there is no change in profile, dimension, or material.
- 5) Reconstruction, restoration, or replacement of soffits, roof brackets, exposed rafters, and rafter ends provided they match the original.

HEARING OFFICER APPROVAL:

- 1) Alterations to (addition or removal of) the following:
 - a) Roof size, shape, or pitch.
 - b) Accessories that are visible from the ground, such as skylights, chimneys, or mechanical equipment.
 - c) Architectural or decorative features such as roof cresting, decorative flashing, dormers, roof brackets, soffits, fascia, exposed rafters, and rafter ends.
 - d) Built-in gutters.
- 2) Removal or replacement of historic roof material.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

DEFINITIONS:

BUILT-IN GUTTERS include those that are a permanent feature within the structure of the eaves.

HUNG OR ATTACHED GUTTERS include those that are attached to or hung from the eaves.

HISTORIC GUTTERS are those that are a) more than 50 years old, or b) contributes to the architectural or historical significance of the structure.

ROOF MOUNTED GUTTERS include those that are mounted on the roof surface near the eave line and drain into gutters that penetrate the roof.

SECURITY¹

Additional policies regarding security lights may be found under lights, page 9.

NO CERTIFICATE:

- 1) Interior alarm and security systems.
- 2) Tape alarm systems attached to the interior edges of window glass.
- 3) Interior window bars and grilles.
- 4) Reglazing with clear safety glass, provided there is no alteration to the window.

STAFF APPROVAL:

- 1) Exterior devices associated with alarm systems (such as alarm boxes or security lights) on the rear or side façade of a building or an existing utility pole, provided written consent by the adjacent building owner(s) is/are submitted in the case of side facades.
- 2) Exterior window bars or grilles at the basement level.
- 3) Security doors with simple metal bars that require no alteration to the door opening, frame, or trim, and are painted to match the door which it secures.

HEARING OFFICER APPROVAL:

- 1) Covering or elimination of windows or doors.
- 2) Exterior devices associated with alarm systems (such as alarm boxes or security lights) on the front façade of a building or on utility poles other than those already existing on an alley.
- 3) Exterior window bars or grilles above the basement level.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

DEFINITIONS:

INTERIOR ALARM AND SECURITY SYSTEMS are those that require no exterior accessories such as alarm boxes or security lights.

SIDING AND TRIM (NON-MASONRY)¹

Guidelines regarding appropriate siding and trim materials may be found in Historic Area Plans.

NO CERTIFICATE:

- 1) Removal of any siding that is specifically noted in the Preservation Plans as being inappropriate. Examples include: aluminum; vinyl; particle board; asphalt; “insulbrick”; asbestos tile; plywood; hardboard; and synthetic masonry, i.e. “permastone” or “Z-brick.”
- 2) Repair of deteriorated wood siding or trim, defined as replacement of less than 5% on any façade, provided the replacement matches the original in material, dimension, and shape.
- 3) Scraping, sanding, caulking, renailing, and putting.

STAFF APPROVAL:

- 1) Replacement of siding or trim deteriorated beyond repair that constitutes more than 5% of that on any façade, provided the replacement matches the original in material, dimension, and shape.

HEARING OFFICER APPROVAL:

- 1) Replacement of siding or trim that involves any change in profile, dimension, or shape.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Removal or replacement of non-deteriorated historic siding or trim.
3. Installation of any artificial or synthetic siding including vinyl, hardboard, aluminum, etc., to an historic building.

NOTE 1: In as much as artificial siding materials do not have the characteristics of texture, appearance, and physical dimensions of wood siding historically used in Indianapolis, its use as a replacement for historic siding is generally not permitted by the Commission.

NOTE 2: Because the development of hardboard siding and its availability as a construction material are fairly recent, it would be incongruous to apply it to a building whose historic significance is based on original material and appearance. The preservation of a building’s historic fabric is essential to maintaining its authenticity and character.

NOTE 3: Application of hardboard siding would, therefore, have a detrimental effect on the historic property and the historic district through the loss of significant historic fabric.

DEFINITIONS:

HISTORIC SIDING AND TRIM includes that which is a) more than 50 years old, and/or b) is contributing or significant to historic character of the structure.

SIGNS¹

Guidelines regarding appropriate and legal sign types, dimensions, and locations may be found in Historic Area Plans and the Sign Regulations of Marion County (#71-AO-4, as amended).

NO CERTIFICATE:

- 1) Removal of the following, if non-historic:
 - a) Advertising billboards or freestanding business signs.
 - b) Signs that are not a permanent feature of the building.
- 2) Temporary signs advertising the following and not permanently affixed:
 - a) Real estate (located on the same property).
 - b) Construction projects (located on the same property).
 - c) Political campaigns.
 - d) Special events involving the neighborhood or general public.
 - e) Sales of merchandise and services when located on the inside of a commercial store window.
- 3) Neighborhood association signs.
- 4) Repair of a sign, provided: a) there is not change in color, pattern, or message, and b) no more than two thirds of the sign is replaced.
- 5) Changes of message on existing advertising signs (such as billboards).
- 6) Signs placed in the public right-of-way by governmental agencies.

STAFF APPROVAL:

- 1) Business and incidental signs mounted on buildings in commercial or industrial zoning districts.
- 2) Window signs permanently affixed to, painted on, or hung from the interior of a display window, and directing a message towards the outside.
- 3) Business signs for legally established home occupations.
- 4) Historical markers and plaques.
- 5) Church sign location, size, material, and design; when on the premises of the church.
- 6) Changes of message on existing signs other than those allowed above.
- 7) Repainting or restoration of an existing historic sign.

HEARING OFFICER APPROVAL:

- 1) Business, advertising, and incidental signs within any HP-1 or dwelling zoning district.
- 2) Non-historic sign removal affecting permanent features of the building.
- 3) Free-standing business, advertising, and incidental signs.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Historic sign removal or alteration.
3. Advertising signs, such as billboards.

DEFINITIONS:

SIGNS include any device used to announce a direction, information, identification, or advertise a business, product, or activity, not including those placed in the public right-of-way by governmental agencies.

ADVERTISING SIGNS include those that direct attention to a business, product, or service; not located on the premises of that establishment (such as a billboard).

BUSINESS SIGNS include those that identify a business, product, or service; located on the premises of that establishment.

INCIDENTAL SIGNS include those that designate direction, identification and accessory uses of a premises, such as parking and loading directions.

HISTORIC SIGNS include those that a) are more than 50 years old, and/or b) are noted in a Preservation Plan as being significant, or historic.

STREETS, SIDEWALKS, STEPS, DRIVEWAYS, AND CURBS¹

Guidelines regarding legal pavement types may be found in the Ordinance on Standards of Acceptance of Streets and Bridges (#49, 1972).

NO CERTIFICATE:

- 1) Resurfacing, repair, or repainting of a street or alley with material, pattern, and dimensions to match the original.
- 2) Repair or replacement of an existing driveway, sidewalk or steps on private property, provided:
 - a) New materials are of the same dimensions, type, and location as the original,
 - b) Expansion joints, control joints, and edges on concrete surfaces are hand troweled to provide rounded edges, and
 - c) Concrete surfaces of walks and drives have the lightest possible broom finish. Strokes must be in straight lines with no curves or swirls.
- 3) New sidewalks and steps in back yards.
- 4) Removal of sidewalks on private property, if location next to the building interferes with drainage or if location affects a mature tree.
- 5) Sidewalk fixtures installed in the public right-of-way by governmental agencies. Examples include mail collection boxes, traffic regulation devices, and traffic control/public information signs.

STAFF APPROVAL:

- 1) Replacement of any deteriorated drive, steps, sidewalk, or curb in the public right-of-way; provided:
 - a) New materials are of the same dimensions, type, and location as the original,
 - b) Expansion joints, control joints, and edges on concrete surfaces are hand troweled to provide rounded edges.
 - c) Concrete surfaces of walks and drives have the lightest possible broom finish. Strokes must be straight with no curves or swirls, and perpendicular to the street on public sidewalks.
- 2) Alteration or removal of a driveway in a back yard.
- 3) Handrails on private sidewalks in a front yard.
- 4) Handicap ramps.

HEARING OFFICER APPROVAL:

- 1) New driveways, street curbs, or front yard sidewalks and steps where none previously existed.
- 2) Alteration or removal of a driveway, curb, or front yard sidewalk and steps.
- 3) Fixtures placed by any private party in the public right-of-way or on private front yards for the use of the public; such as vending machines, phone booths, benches, and bus shelters.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Removal, construction, or alteration of streets or alleys.

DEFINITIONS:

DETERIORATED MATERIAL is that which is cracked, heaved, crushed, or missing severely worn on the surface.

FRONT YARDS include all land: forward of the rear building line and not enclosed in a back yard privacy fence, or in adjacent lots used as side yards.

BACK YARDS include all land: a) behind the rear building line, or b) enclosed within a backyard privacy fence.

UTILITIES AND MECHANICAL EQUIPMENT¹

NO CERTIFICATE:

- 1) Removal of any utility pole.
- 2) Installation of any distribution pole on an alley to accommodate the burial of utilities.
- 3) Replacement of any distribution pole or transmission pole with a new pole of like kind.
- 4) Burial of electrical, telephone, and television cables.
- 5) Window air-conditioning units requiring no alteration to the window or opening.
- 6) Air-conditioning equipment and meter boxes on the rear of the house or enclosed by an approved back yard fence, and not visible from the street.
- 7) Heating, cooling, and ventilation equipment on flat roofs if the equipment is not visible from the ground.
- 8) Replacement of heating, cooling, or ventilation equipment with equipment in the same location and no larger than the previous.
- 9) Electric, telephone, and television cables installed above ground (and at the back of the building), servicing buildings to which underground distribution does not currently exist.
- 10) Exterior surface-mounted vents such as those for dryers, heaters, bathrooms, or kitchens; if not larger than one square foot and not visible from the street.

STAFF APPROVAL:

- 1) Any utility and mechanical equipment located in a front or side yard but not visible from the street.
- 2) Replacement of heating, cooling, and ventilation equipment at a different location or larger than the previous.
- 3) The installation of through-the-wall air conditioners on non-significant facades.
- 4) Utility poles at new locations or replacement with one of a different material or height greater than the previous.

HEARING OFFICER APPROVAL:

- 1) Utilities or mechanical equipment requiring alteration to an existing building, except as allowed above.
- 2) Any utility and mechanical equipment visible from the street.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

NOTE 1: The commission may require that electrical, telephone, and television cables be buried underground on rehabilitation projects in Lockerbie Square, and on all new construction of principal buildings.

NOTE 2: Utility service must be located underground when underground service is available.

DEFINITIONS:

UTILITIES AND MECHANICAL EQUIPMENT include any device located on the outside of a building related to electrical systems, heating and cooling, television (including satellite dishes), telephone, or plumbing.

VARIANCE, REZONING, OR CHANGE OF LAND USE OR DEVELOPMENT STANDARDS

NO CERTIFICATE:

- 1) Vacation of the public right-of-way.

NOTE: Physical alterations within a vacated public right-of-way may require a Certificate of Appropriateness.

STAFF APPROVAL:

- 1) Variance of development standards necessary to implement plans:
 - a) Previously approved by Hearing Officer or Commission, or
 - b) Those currently being reviewed for Staff Approval.

HEARING OFFICER APPROVAL:

- 1) Variance of development standards necessary to implement plans being heard by Hearing Officer.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.
2. Variance in development standards necessary to implement plans being heard by Commission.
3. Variance in land use.
4. Rezoning.
5. Land use changes in an HP-1 district.

WINDOWS AND DOORS

Guidelines regarding appropriateness of windows and doors may be found in Historic Area Plans.

NO CERTIFICATE:

- 1) Interior storm windows.
- 2) Interior stained glass, if not installed in existing window sash.
- 3) Replacement of broken or missing glass with new glass to match the original.
- 4) Repair of existing storm windows and doors with materials and design to match the previous.
- 5) **In Herron-Morton Place only**, exterior storm windows and doors, provided they conform to the standards set forth in the Herron-Morton Place Plan.

STAFF APPROVAL:

- 1) Exterior storm windows and doors, provided:
 - a) No alteration to the opening is required.
 - b) They are not attached to and do not cover any exterior trim.
 - c) They are prefinished or painted.
- 2) Stained glass installed in windows or doors, unless exempted above.
- 3) Restoration of windows and doors, including replacement of deteriorated parts.
- 4) Replacement of historic windows and doors when deteriorated beyond repair, provided replacement matches the original in dimension, material and style.
- 5) Replacement of missing windows or doors.
- 6) Replacement of any non-historic door or window with an appropriate new one.

HEARING OFFICER APPROVAL:

- 1) Replacement of any historic door or window (sash and/or frame) that does not match the original.
- 2) Removal or alteration of existing windows or doors.
- 3) Creation of new window or door openings.

COMMISSION HEARING APPROVAL:

1. Any action deemed inappropriate by Staff or Hearing Officer.

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